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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

KELLY CAHILL, SARA JOHNSTON,
LINDSAY ELIZABETH, and HEATHER
HENDER, individually and on behalf of
others similarly situated,

Plaintiffs,

v.

NIKE, INC., an Oregon Corporation,

Defendant.

Case No.: 3:18-cv-01477-JR

**JOINT STIPULATION REGARDING
NIKE'S MOTION FOR SUMMARY
ADJUDICATION TO DISMISS
PLAINTIFF KELLY CAHILL'S
TITLE VII CLAIMS FOR RELIEF and
ORDER**

Plaintiffs Kelly Cahill, Sara Johnston, Lindsay Elizabeth, and Heather Hender (“Plaintiffs”) and Defendant NIKE, Inc. (“NIKE”) (collectively, the “Parties”), through their respective counsel, hereby stipulate as follows:

WHEREAS, on October 26, 2023, Plaintiffs filed their Second Amended Class and Collective Action Allegation Complaint (the “SAC”). ECF No. 377.

WHEREAS, Plaintiffs contend Plaintiff Kelly Cahill never brought claims under Title VII of the Civil Rights Act of 1964 (“Title VII Claims”) against NIKE in the SAC.

WHEREAS, NIKE contends Plaintiff Kelly Cahill did bring Title VII Claims against NIKE in the SAC.

WHEREAS, on April 5, 2024, NIKE filed a Motion for Summary Adjudication regarding Plaintiff Kelly Cahill’s Title VII Claims. ECF No. 455.

WHEREAS, on April 23 and April 24, 2024, Plaintiffs’ counsel confirmed to counsel for NIKE that “Kelly Cahill does not bring Title VII claims” and Kelly “Cahill can never pursue Title VII claims” against NIKE. Plaintiff Kelly Cahill further confirms that, because she did not and does not bring Title VII Claims against NIKE, she has not been and will not be seeking damages under Title VII.

Based on the foregoing, including the SAC and Plaintiffs’ counsel’s communications and representations to counsel for NIKE on April 23 and April 24, 2024, and subject to approval by this Court, **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THAT:**

1. Plaintiff Kelly Cahill did not bring, does not bring, and will not pursue Title VII Claims, or damages under Title VII, against NIKE for anything that allegedly occurred prior to the date of this Stipulation.

2. Based on the foregoing recitals, which are incorporated herein, NIKE withdraws its Motion for Summary Adjudication.

Dated: April 26, 2024

s/ Byron Goldstein

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Dated: April 26, 2024

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SIGNATURE ATTESTATION

In accordance with Civil Local Rule 11(b)(2), I attest that concurrence in the filing of this document has been obtained from the signatories on this e-filed document.

Dated: April 26, 2024

Respectfully submitted,

PAUL HASTINGS LLP

s/ Felicia A. Davis
Felicia A. Davis (*pro hac vice*)

ORDER

1. Plaintiff Kelly Cahill did not bring, does not bring, and will not pursue Title VII Claims, or damages under Title VII, against NIKE for anything that allegedly occurred prior to the date of this Stipulation.
2. Based on the foregoing recitals, which are incorporated herein, NIKE withdraws its Motion for Summary Adjudication (ECF doc. 455).

IT IS SO ORDERED.

Dated: 4/26/2024

/s/ Jolie A. Russo
HON. JOLIE A. RUSSO
United States Magistrate Judge